## THE GREAT MORAL TRIAL

Thirty-third Day of the Brooklyn Scandal Case.

A DAY OF SURPRISES.

The Plaintiff's Examination Finally Closed.

ANOTHER SENSATION WITNESS.

What Mrs. Tilton's Brother Saw and Thought.

DRAWING UP THE NET.

Getting Deeper and Deeper Into the Scandal.

Yesterday was a hard day for the defence in Brooklyn. Witnesses Bell, Richards, Robinson and

Brasher testified. Bell appeared to belong to the protesting min ity of Pymouth church, and showed that he did not like the pains taken there to retard the exposure and settlement of this scandal. He reted his evidence in a strong, conscientious way, but was not fully brought out except by the have the witness do justice to Shearman, afore-said, before he left the chair. The witness got in a great deal more evidence for the plaintiff's theory in vindicating Shearman than in supporting but with many a coubt.

piece of testimony as to a brief quarrel between Mr. and Mrs. Tilton after the birth of one of the oles, which, Mr. Beecher alleged, he settled at

Thison's request.

The Judge ruled this out, but suggested to Tilton's counsel to waive the rules of evidence and let it go in, which Mr. Beach would not do.

not looked to be in very buoyant spirits during the merning, went home with his wire, not to re-

turn during the day.

In the afternoon Mrs. Tilton's own brother testified to descending suddenly one foremoon into his sister's parlor and disturbing there Mrs. Tilton and Mr. Beecher sitting on a sofa, and his sister, with a gesture of baste and fright and a flushed face, motioned Mr. Beecher in such a way as to make a painful and insting impression upon the witness, Joseph Richards. He told his wife that night, and would have explained himself further to the jury, but Mr. Evarts cut him up harshly. This was a painful and powerful piece of testimony from such a source, and it thrilled the court room. Mrs. Tilton heard it sitting back in her chair, with her eye on her brother. They looked very much alike. He was cool and impassive; so was she. It is not a

family to droop in public.

Then came Mr. Robinson, the uncle of Mrs.

Prank Moulton, who testified that Mr. Beecher aid to him about the time of the church investigation last July:—"Frank is as good a friend as God ever raised up to a man. But for him I don't believe I would now be anve."

flually came a Mr. Brasher, Mr. Tilton's neighbor. who had seen Mr. Beecher at all kinds of hours on Mr. Tilton's steps and near his door, and once so early in the fall of the year that it made "an indelible impression" upon Mr. Brasher.

Taken altogether, it was a strong and striking day. The woman Catharine Carey and the plainto familiar relations such as surprised them both between Mr. Beecher and Mrs. Titton.
Titton was asked at the end of yesterday's pro-

ceeding how he came to hear of the story Richards ad to tell. He answered :--

knew that he had seen something; for, about four years ago, he came to me in a rather affectionate toral visits were of my request, and warned mo of Elizabeth's ecstatic religious nature.

The testimony of Richards as to the generosity, good spirits and husbandry of Tilton was very

A very unpleasant feature of the questioning for the past two days has been the query constantly put to Titton by Snearman about his wife having to keep boarders. Ever since Catharine Carey showed the ostentation of the establishment, with its six servants, there has been an effort made to put in the boarders as an evidence of Tilton's meanness. He has always met it straight with "Yes, we did."

A picture of J. H. Bates being shown Tilton yesterday, he was identified as the business partner of Petroleum V. Nasby, thus drawing in another of

the demi-literary guild by association.

The juryman who fainted on Wednesday was in his pince, looking as if snaved oy a new razor. He is entitled by law to a bottle of sherry a day. Not being permitted to read the newspapers he will be unaware of this fact till the end of the trial. The jury, generally, look very well, have plenty of time for exercise and appear to enjoy themselves. Flate is very joung compared to the

old and tough jurymen.

Judge Marcus Morton, of Boston, was on the bench with ex-Judge Hawley, of Sait Lake City, Utah, one of the famous bench of Chief Justice McKean, which moved on the works of Brigham Young, and Judge Dykeman, of Brooklyn. Three perluming lamps were burning in the court room, and it was

Rev. Dr. Jeffreys, one of the ablest of Brooklyn clergymen, was in court, and Rev. Mr. Pentecost

General Catlin, who lost a leg at Petersburg and is General Tracy's partner, came into court in the morning.

END OF TILTON. The Judge, with that long memory or methodical note-taking, which amounts to the same thing, reminded Fullerton at the outset that he had omitted one point. This gave lawyer Snear-

man a chance on the other side.

After Mr. Shearman had poked into closets, asked about opening one's wife's desks, and thus, in a measure, made the subject delicate, Fullerton jumped up with a lot of photographs, provided as "gags," and asked Sercely of Tilton, if he ever saw them, if they were new and clear, &c., and It was leared in the audience that Shearman was

not regarded at his value by Fullerton. Tilton behaved to Shearman with great composure of manner: Sucarman stood up by him, his teeth and chin chattering with the volubility of an auctioneer, and he threw around questions with perfect abandon. It appeared that he had provided a set of photographs of other Brooklyn preachers to have the jury believe they were Mrs. Tilton's. Fullerton showed that they were brand new, bought for the occasion.

As soon as the jurors had answered to their As soon as the jurors had answered to their hames Mr. Fullerton called George A. Beil.
Judge Neilson then called the attention of Mr. Fullerton to a question reserved upon which Mr. Beach proposed looking up some authorities.
Mr. Fullerton replied that they intended bringing the question up at some other time.
While waiting for Mr. Evaris Mr. Thion was put on the stand and asked a few questions by Mr. Shearman.

on the stand and asked a few questions by Mr. Shearman.

The witness stated—I have known Katte Mac-Donald for twenty years; she is an old servant in my father's house and an occasional immate of my house; I told Katle that whenever Mrs. Thion sent for anything to give her what she asked for; I recollect her sending her two or three trunks full of things; I do not know anything about these I hotographs of Dr. Storrs; I cannot swearthat the seven you have just handed me are photographs

of the Rev. W. M. Taplor, D. B.; the two you have ust shown me are photographs of the Rev. Dr. Talmage and the other one of Mr. James H. Bates; I do not taink I ever saw the latter photograph before; this photograph is of Horace Greeley; I do not think I gave it to Mrs. Thinos; the next is Henry Ward Beecher; I will not swear that I did not give it to Mrs. Thiton; this is picture of Dr. Levit; an old associate on the Independent; I do not remember ever seeing a picture of Dr. Stores in the house. in the house.

After identifying a photograph of General Morse Mr. Shearman had all the photographs

After identifying.

Morse Mr. Stiestman had all the photographs
marked as exhibits.

Mr. Fullerton then asked the witness some
questions about the photographs as follows:—

Mr. Fullerton—Whose picture is that—Mr. Beecher's r A. Yes, sir; but he is a much younger man
than he now is, i should think, by fifteen or

than he now is, I should think, by fifteen or twenty rears.

Q. These photographs of Dr. Storrs you never saw before? A. Not to my knowledge.

Q. Those are four of Dr. Storrs? A. Yes, sir.

Q. And are taken from the same plate? A. Yes, sir, copies of the same plate.

Q. And apparently fresh and new? A. Yes, sir.

Q. Unsoiled? A. Yes, sir.

Q. You do not know but what they were bought in Pulton street yesterdny? (Considerable laughter.) A. I should not like to swear to it.

Q. (Handing more pictures to the witness.)

Now, take these and see if they are not struck from the same plate? A. Yes, sir; they are all the same.

same.

Q. Fresh? A. Yes, sir.
Q. Clean? A. Yes, sir.
Q. Clean? A. Yes, sir.
Q. And were not in any closet that you know of?
A. No, sir; not in that closet.
Q. You instructed this servant, as I understand you, to send to Mrs. Tillon whatever sine sent for?
A. I told Kate that whatever Mrs. Tillon send for to send her; to send her anything she asked for—any article in the house, any article of furniture; I remember saying it she wanted any carpets to send them.
Q. Who packed the trunks? A. Katic MacDonald did.
Q. And who selected the articles put in them?

did. And who selected the articles put in them?
A. Katle MacDonald.
Mr. Shearman then went to work again and witness stated:—After my wife left the house I examined the closets and bureau drawers; I went through them all and neversaw those pictures; I opened her desk; it was unlocked; I remember that Mrs. Titton sent through Kutle MacDonald for some little souvenits of the dead examined the closets and bureau drawers; I went through them all and neversaw those pictures; I opened her desk; it was unlocked; I remember that Mrs. Thiton sent through Kathe MacDonald for some little souvenirs of the dead child, some letters, a little plaster cast of the dead child, some letters, a little plaster cast of the dead child, some letters, a little plaster cast of the dead child, some letters, a little plaster cast of the dead child, some letters, a little plaster cast of the dead child, some letters at little sox, and it sent the box and the other articles that she sent lor; I found the plaster cast of the dead child; I sent her all the little souvenirs connected with it; I do not rememder on what day she sent for them; the letters which were published in the Tribine between myself and my wife were not in that closet; they were in a closet on the floor above; the closet where the Beecher pictures were kept was on the second floor; my wife's correspondence and mine was on the third hoor, in another closet; they were in a closet on the closed in the closet to be concealed from me.

George A. Bell, ex-superintendent of Plymouth Sunday School, who had been twenty, seven years a member of that church, took the stand at half-past cleven. He is a person answering to the perfect type of a strict, devout, working Christian. Dressed in black, without ornament and with a standing collar, he wore moderstely long straight hair. He had a good plain head, very little side whiskers, a large aquiline nose, a mouth schooled to speech or silence, and he gave his testimony with a gravity and measured retrospective manner, which lorbade a doubt of his perfect sincertity. Not a meek man either, nor exactly a spirited one, Mr. Bell was not to be brought into acquescence with the intentions of the lawyers. He was soliected to by Mr. Evarts, but let in. He testified to Pastor Halliday and binself seeing Thiton at an early stage in the noising abroad of the scandal; Tilton was advised by Bell to deny the thing, and was to

was present and the scandal was the subject of conversation.

Q. In that conversation did Mr. Tilton endeavor to illustrate the innocence of Mrs. Tilton by any figure of speech that he used referring to flaze?

Mr. Evarts—Don't answer, Mr. Bell. I don't understand that it is competent for the plaintiff to give this conversation in evidence.

After some argument the Judge ruled that the evidence was pertinent, and the witness resumed:—

I think the figure of a tree was pred aliming

aumed:—
Ithink the figure of a tree was need, alinding to his wife; the interview began, so har as I was concerned, by Mr. Hindu urging me to continue in the request of Mr. Thion urging me to continue in the request of Mr. Thion that I should remain; diemetred, but as they both speared aminous that I should remain, I did remain; Mr. Hinding's head took that I should remain that I should have been that the head called there at the request of Mr. Moulton; he had took in the that Mr. Beecher had been to see him the previous night after service, and that I should have been to see a comming the Mr. Moulton; he had took in the the should see Mr. Thion and tell him to come down and see Mr. Hailings and make some explanation to him which would make it unaccessary for the deacous to have their need him to come down and see Mr. Thion and tell him to come down and see Mr. Hailings and make some explanation to him which would make it unaccessary for the deacous to have their need him to come down and see Mr. Hailings and make that publisher had stated to him; he said to make the work the solid see Mr. Thion in the trinces of the publisher of the head one that I think he paused, and i said to him, "Air. Thion, if that is said there is of this matter your duty to your church all demand that you should come hasher to that that he could not do so; I said very pointedly and emphasizatily, "That is absurd;" or our church all demand that you should come answer to that that he could not do so; I said very pointedly and emphasizatily, "That is absurd;" or our church all demand that you should come in the street of the matter your duty to your church all demand that you should come in the street of the matter your duty to your church all the said. "The said "the point of the said and the said the said the said the said the sai

wished me to go and see Mr. Halliday and arrange with him that the meeting should not take place! Mr. Heecher said he had sent for me because he had heard the day before that there was to be a meeting of the deacous that night, on the Monday night; that he was very anxious that the meeting should not take place; that he was going away to Boston that morning and that he could not do anything about it, and he wanted me to go around to Mr. Halliday's house and arrange with Mr. Halliday that the meeting should be put of, or not take place; I think that was about the substance; the deacons of the church sometimes mean the examining committee; it hink there were nine deacons and six members of the examining committee; the only one I knew positively was Mr. Hawkins; I think Mr. Halliday was a deacon examines of the deacons; I had another seeing Mr. Halliday I understood that there was to be no meeting of the deacons; I had another interview with Mr. Beccher before I went to Europe, on the 10th of May, 1873; It was about six mouths after the interview with Mr. Halliday; I have been an officer of Flymouth church and am still a member. have been an onter of the strike ont all the evi-still a member.

Mr. Evarts then moved to strike ont all the evi-dence of the witness in regard to the interview with Mr. Beecher, quoting the case of Dudley vs. Bolles as authority.

The Judge denied the motion.

Bell, on the cross-examination of Shearman, who is a very fair lawyer and often lets in evidence on the other side so magnatimously that it appears he scarcely means it, got in an answer which made Pryor unclass his lips, and with eyes darting satisfaction, he laughed into Fulierton's face, Beaca and Morris joining, and Mr. Beecher's old, flushed, worried look returned. While they laugued Mr. Shearman, willing to give any num ber of points in the way of charity, uncovered himself, and the witness and he fell to comparing personal attitudes inside of Plymouth church. This in the law dropped the robes of his secular profession, and appeared as the plain, plous cierk of Plymouth. He asked Mr. Bell to remember all about himself (Shearman), and seemed muon worried at the perversity of the other's memory. Bell was a worrying man. He could not tell a ite, and appeared to have put in an unconscious claim for

Washington's little natenet next Monday.

He did accomplish this, however, and it was the subject of comment at the recess and through the Court. He showed that the jeer and traduction of the Plymouth congregation is based upon a wholly false estimate of the honor and conscientiousness of many of these worthy and reverend people. Mr. Bell preached unconsciously, a sermon for Plymouth church, the large audience saw a man past the middle age more than a quarter of a century active in the church society, clear in his faculties, soft and class-meeting like in speech, pale in complexion as from the temperance of a lifetime, and poising every answer upon his personal conscience, re-Mr. Bell's answers upon the subject of noticing slander are good instances of this sort of Plymouth Christians. He said, however, that although still a member of Plymouth, he had somehow "sid

there.

The witness stated:—At the time of the deacons' meeting no one thought that anybody in the church was about to make an attack against Mr. Beecher; I was well acquainted with the sentiments of the church; in regard to the Woodhull scandal my answer probably would be given in the lact that the rumor in the deacons' meeting which had come to sir. Beecher's ears probably arose from a conversation in the lecture room on the Friday night previous, the persons present at this time being Mr. Hawkins, Chairman of the Board of Deacons, Mr. Shearman and mysell; Mr. Shearman and the church and contradict, and it was our duty to wait until they did so; and after a fortnight or three weeks had passed and they didn't come out and contradict it, then I think it was the sentiment, and that many in the church to take hold of the matter; I am clear in my recollections that the sentiment in the church changed about the first fortnight or three weeks against shence to action; and I cannot clearly remember in regard to your position, but I remember distinctly, in regard to mysell, that I could not see how any action could be taken by the church, excepting with the concurrent action of Mr. Beecher; I cannot recollect any particular conversation with Mr. Shearman; I recollect fity or sixty friends calling on me on t

shadow of a thought that Mr. Beecher was guity at that time; the special feeling in the church was occasioned by the Woodhull publication; we expected Mr. and Mrs. Tilton would come out and deny it; after a sufficient length of time had gone by for these deutais then our feelings began to change; it was considered the policy of the church to take no notice of it.

Q. Did you have an interview in which the subject of Mr. Tilton's family was brought up?

Mr. Fullerton—I object to that, sir.

Judge Neilson—Has that been inquired into?

Mr. Fullerton—Oh, no, sir.

Mr. Shearman—May it please Your Honor, we offer this evidence in this point of view. A great deal of evidence has been put in on the other side to show that Mr. Beecher had—I was going to say that a great deal of evidence had been put in to show that Mr. Beecher had a kind of chandestine relation with Mrs. Tilton; but in reality I can only say truthfully that very little evidence has been put in, hardly enough to rebut. But still something of that sind has been put; in. We have also had the question raised, two witnesses have been asked—Mr. Tilton and Mr. Moliton—whether they knew anything about Mr. Beecher's advising a separation, of whether Mr. Beecher ever acknowledged he had advised a separation, between Mr. and Mrs. Tilton. Now, I propose by this witness to show, if I can, that in December, 1870, at the very time when, according to the theory of this prosecution, Mr. Beecher had been maintaining guilty relations with this lady six months—according to the testimony of Mr. Moulton—after he had prayed for help to discontinue those relations, at the very time that Mrs. Tilton was absenting herself from her husband's home; we propose to show Mr. Beecher was called in to advise upon that question of separation between husband and wife. Now, one of the very first things that Mr. Beecher did when he was called in to advise upon that question of separation between husband and wife. Now, one of the very first things that Mr. Beecher did when he was called in t

foremost officers and most respected members of his church.

A long argument between opposing counsel followed, and at the end Judge Neilson said:—"I think counsel will appreciate the restraint I feel in reference to what I understand to be the settled rule of evidence, and in respect to which I have no power or authority. The question is overruled. Gentlemen of the jury, we have thoughtfully sent down to Parker's to have the room warm and comfortable where you dine, and during recess the windows of the court room will be open for the purpose of thorough ventilation."

The Court then, at ten minutes past one o'clock, took a recess until a quarter past two o'clock.

AFTER RECESS.

Mr. Bell, of his own volition, commenced after recess to recall a few things Tilton said at the Shearman said, in his usual light comedian style, that he was done. This gave great dissatisfaction to the gatheries, for the style of his voice is very pleasing, and a rather gay imagination belongs to him of right. Still, he had better leave crossexamination to the New York lawyers. Halliday during the testimony of Mr. Bell, kept reading something or taking notes. He is a baldish, strictly cierical old gentleman, not very sagacious out of the eyes, rather credulous and old-

The Court assembled at twenty minutes past two o'clock.

Mr. Snearman then stated that they were through with the cross-examination of the wit-

Mr. Shearman then stated that they week through with the cross-examination of the witness.

The witness then made the following explanation of a portion of his testimony:—Mr. Thiton said in the interview that when I drove him up in regaid to the publication which I insisted he ought to make, he said that Mr. Beecher had committed an offence against his family; these words came to me very distinctly; Mr. Beecher had committed an offence against his family which he declined to specify or characterize, or some such words as that; he stated also that Mrs. Thiton was pure and used some very strong language; in regard to that I merely now give you the things I remember, which I had omitted; he said, besides additing to the anticipated meeting of the ceacons, "snat if the deacons, or if the church wanted to investigate this thing, I am ready, but you had better go to Mr. Beecher, and if he says he is willing, and the church is willing, go on—then go on;" that is about the substance of what he said.

RE-DIRECT EXAMINATION BY MR. FULLERTON.

out of channels of information at an early period; that was just what I means; it was not in consequence of my absence, because I did not go away from the city until the following May; I was not consulted with again; I was going on to state that there was another reason for the meeting at Mr. Halliday's house, other than was disclosed; there was another reason for the meeting at Mr. Halliday's bouse.

TESTIMONY OF MRA TILTON'S BROTHER-A SENSA-TION AND LIVELY TIMES IN COURT, Joseph H. Richards, of Montciair, h. J., brother of Mrs. Titon, who has not steadily resided in Brooklyn, though much drawn there by Tilton and his sister, took the stand at half-past two.

Q. Mr. Richards, where do you reside? A. Mont clair, N. J.

Q. Dhi you ever reside in this city? A. Yes, sir.
Q. During what period of time? A. About ten
years ago.
Q. How are you, if at all, connected with the
family of Mr. Tilton? A. Mrs. Tilton is my sister.
Q. Have you spent more or less of your time in
Brooklyn since you moved to Montciair? A.
Rather less than more, sir; been here seldom.
Q. Were you in the habit of visiting Mr. Tilton's
house when you were here in Brooklyn? A. Yes,
sir.

Q. During what period of time? A. Ten years. Q. While you were there, Mr. Richards, did you Q. During what period of time? A. Ten years. Q. While you were there, Mr. Richards, did you motice, it you did you will please state to us, what degree of affection existed between the husband and the while in that tamily? A. Weil, sir. I always considered that the home of Mr. Tilton was a model home in that respect as in other respects.
Q. Did you ever see anything to the contrary during your visits there? A. Not certainly until the last two or three years.
Mr. Evaris—I understand the rule here that it must be limited to the period antecedent to the alleged cause of the estrangement.
Mr. Fullerton—Prior to July, 1870?—prior to December, 1871?
Mr. Evaris—July, 1870, it was alleged.
Mr. Fullerton—Well, it was made known in December.

Mr. Fullerton—Well, it was made known in December.

Mr. Evarts—It was alleged to be known to the husband in July, 1870.

By Mr. Fullerton—Q. Well, prior to July, 1870, was it the condition of things in that lamily according to your observation? A. Well, sir, as to my recollection of dates, the precise time i could not say, out I should think that would be about it. Q. Now, as to the treatment of his jamily by Mr. Tilton, in providing for them—what can you say of that from your observation? A. I should say it was generous, sir.

Q. And in his daily intercourse in his family state whether it was kind and affectionate and agreeable? A. So I should state; loving, kind.

Q. How was he for cheerfulness in the family drude? A. Well, for the most part I should say he was ratner too cheerful, sir; lond of joking and punning sometimes at the expense of others; at my own expense sometimes.

D. All in good nature? A. In good nature; yes.

d. All in good nature; A. In good nature; yes,

was rather too cheerful, sir; lond of joking and my own expense sometimes.

Q. All in good nature? A. In good nature; yes, sir.

Q. How long have you known Henry Ward Beconer? A. I should think about eighteen years, sir.

Q. Did you see him frequently during your residence in Brookyn? A. Yes, sir; but more often in New York city, in business matters.

Q. What ousiness matters in New York city brought you in contact with him, if any? A. I was publisher of the Independent eight years, and there I saw him frequently.

Q. During what eight years? A. You puzzle me, sir, by dates.

Q. Well, as near as you can get ati; I am not particular? A. I should think probably differ years ago my connection with the Independent ceased, and probably daring the eight years prior to that date I saw him frequently.

Q. And since you moved to Moniciair have you seen him frequently? A. Not frequently; no, sir.

Q. where have you been in the habit of seeing him during your residence in New Jersey? A. I have met him on the street often; seen him occasionally at my sister's house.

Q. Mrs. Tition's? A. Mrs. Tilton's; I should think that would comprise it all, sir.

Q. How often did you see him at your sister's house? A. I couldn't say, sir.

Q. Give us an estimate, as near as yon can, of the number of times? A. Well, it would be difficult to state; I should say probably flive or six times in the course of these years.

Q. And when did that occur—during what year? A. Well, I probably met him first when the family lived in Oxford street; if you can give me the date of that that will recall the time I met him in Brooklyn at their home.

Q. And when gain? More often in Livingston street.

Q. Where they resided up to the time she left her husband's house? A. I conlect of seeing him there in the otrenoon of the day; Idon't know now o.ten at that time.

Q. Where they resided up to the time she left her nusband's house? A. I don't recall but one time, sir, I think.

Q. Was every instance? A. I don't recall but one time, sir, I think.

Q. Mad whe

possibly there might have been other persons present.

Q. But you do not recollect? A. I don't remember; no, sir.

Q. Now, Mr. Richards, at any time when you saw Mr. Beecher in the house of Mr. Tilton in company with Mrs. Tilton, did you see anything exceptional in their conduct and intercourse, and if so, state what it was?

what it was?

THE WITNESS ADDRESSES THE JUDGE.

The witness heattated for a moment, and turning round in the chair, addressed the Judge as oilows:—
"Will you allow me to say, Your Henor, that, in regard to this case, I am brought here as a witness and appear in a peculiar, I may say, a cruel position, I did not seek it. I am here from pure necessity and very reluctantly. This lady is my only sister, and I esteem her, as we all esteem our sisters.

The witness, turning to address the Judge,

to explain himself, made a short address as to the painfulness of his position. He spoke with business coolness, great clearness, a deep voice, and

no emotion except in the words.

The Judge—I recognize that, sir; the position you occupy is a peculiar one. Answer the countries route the countries route. you occupy is a pecuniar one. Answer the counsel's question put to you.

Witness—Well, sir, in my answering this question i don't think I could answer in justice to my set unless i should put what I saw in connection with other things that I had heard about Mr. Beecher in my long knowledge of him; what I saw might not be of any special moment aside from these other things, and it may not be of any moment at all.

these other things, and it may not be of any mo-ment at all.

Mr. Everts—Now, if Your Honor please, here the witness is asked what he saw, and he pro-ceeds to give instructions as to what he saw not being of much importance unless he is allowed to connect it with other things he had heard; I cer-tainly have never heard anything like that from a

Witness.
Witness.—Precisely so; but if you will place yourself in my position.—
Mr. Evarts—I shall be able to show.
Mr. Fullerton—I will give you a chance very

Mr. Fullerton—I will give you a chance very soon.

To the Witness—State what you saw with respect to the character or conduct of Mr. Beecher and Mrs. Tuton on this occasion that you speak of seeing them in the morning? A. On this one occasion I called at the house and was in the upper story—the second story; I descended to the partor floor and opened the parior door, which was clossed, and I saw Mr. Beecher seated in the front room and Mrs. Thiton making a very hasty motion, with a highly flossed face, away from the position which Mr. Beecher occupied; it was such a sight as left an indelible impression on my mind in relation with other matters.

Q. What season of the year was that in? A. I do not recoilect the season.

Q. Have you any way of letting us know whether it was in the winter or summer? A. I do not think I could do it.

Q. Have you no means of recollecting it? A. No, sir; I have been glad to forget all those things.

Q. Can you tell us how many years ago it was?

Q. Have you no means of recollecting it? A. No, sir; I have been glad to forget all those things.

Q. Can you tell us how many years ago it was? A. No, sir.

Q. With reference to the age of the children of Mrs and Mr. Tilton, will you be able to fix approximately the time when you saw this? A. No, sir, I cannot recollect the ages of my own children, except from a memorandum I carry in my pocket.

Q. Was it as early as 1868? A. I do not think you can aid me in that matter.

Q. Was it a number of years ago? A. Yes, sir.

Q. Could you tell us whether it was netween '63 or '70? A. It was probably prior to '70.

Q. And where did Mr. Tilton live at this time? Where was his residence? A. In Livingston sireet; No. 174, I think.

Q. Can you state whether it was an anusual thing that the parior doors should be shut as they were shut on that occasion? A. I could not tell; I don't know what was the custom.

Q. How long had you been in the upper part of the house? A. I do not remember; I called there in the morning, as I lived out of town.

Q. Can you state whether Mr. Beecher came to the house before or after you did? A. I cannot, as I was up stairs.

Q. You do not remember of having seen him as you went upstairs? A. No, sir.

Q. In what part of the parlor was Mr. Beecher sitting when you thus opened the door? A. About opposite the front entrance; the front room, about opposite the front entrance.

Q. And how far was Mrs. Titon from Mr. Reecher when your eye rested upon them? A. Well, it was no far, sir; when I opened the door she was in the actof moving away from the nosition.

Q. Moving away from Mv. Beecher? A. Prom
Mr. Beecher; yes, sir.
Q. And in what direction? A. Toward the front
Window.
Q. Did you remain in the room, the parior, any
time? A. Not long, sir.
Mr. Fullerton—I believe that's all.

THE WITNESS GIVEN OVER TO BYARTS Mr. Evarts indicated to the witness before he took the stand that he would "show his feelings" in the case. The whole coterie of lawyers and lookers on for the defence were in a great state of Shearman and Evarts close together, whispering.
The witness seemed wholly alone, but he did not show pain. His look was imperturbable. His black or hazel eyes were not very wide epen. He spoke without emotion, only the words being compassionate. His resemblance to Mrs. Tilton suggested a psychological parallel.

Mr. Evarts-Were you subposused here! A. Yes, dr. Q. And when? A. (Looking at a paper which he look from his pocket) This is dated the lath of beruary.

Q. When was that served upon you? A. On that I presume, sir. What is your business, sir, now? A. I am an Q. Where do you carry on that business? A. At No. 245 Broadway.
Q. When did you first speak of this occurrence, and to whom? A. I think I spoke of it first to my

parties to this case? A. I think day before yesterday,
Q. Now, sir, what did you say to Mr. Beecher and Mrs. Tilton when you went into that parior? A. I greeted them, sir, as is my custom—anaxing hands with Mr. Beecher, I think—
Q. Yes, sir— A. Who remained seated.
Q. Had you seen your sister before upon that morning? A. No, sir.
Q. Had you come into the house in the usual way, without being announced, or introduced, by the lamily at all? A. I used to have tree range of the house, sir, so far as that is concerned.
Q. I asked exactly that, whether you came into the house? A. Exactly as I said; I came in the usual way.

Q. I asked exactly that, whether you came into the house? A. Exactly as I said; I came in the usual way.
Q. And you went upstairs to your own room?
A. I had no room.
Q. Well, what room? A. Probably the second story front room.
Q. With what object? A. To see any one that was to be seen.
Q. With what object? A. To see any one that was to be seen.
Q. Was that the usual and ordinary place where you expected to find your sister? A. Yes.
Q. Was it this room that had folding doors between it and the bedroom that you went expecting to find her in? A. Yes, str.
Q. That was the ordinary place? A. It was the sitting room.
Q. Where any family visitor would expect to find your sister? A. I presume so.
Q. About what time of day was this? A. I think about eleven o'clock.
Q. Had you any particular business there, or simply a call? A. It was simply a call.
Q. And immediately on finding your sister not upstairs you came down? A. It might have been so, or I might have found some of the children there and talked with them a little; I don't remember.
Q. Did Mr. Beecher leave before you left the par-

there and talked with them a little; I don't remember.

Q. Did Mr. Beecher leave before you left the parlor? A. No, sir; I left before he did.
Q. Did your sister leave before you did, or did she remain? A. My impression is that she remained; I think I did not leave the house at once; I think I went upstairs again.
Q. You left the parlor, leaving your sister there? A. Yes, sir.
Q. Then you went up stairs? A. I am not sure of tuat; probably I did.
Q. I don't know anything about "probably;" did you or not? A. I cannot tell.
Q. Did you leave the house or go somewhere in the house when you had some detention or occupation of some kind? A. I replied I could not remember.

pation of some kind? A. I replied I could not remember.

Q. Do you know but that you immediately left the house when you left the partor? A. I may have done so.

Q. Your impression is to the contrary? A. No; I have no distinct impression; it is vague.

Q. Do you remember seeing your sister again on that day? A. No, sir.

Q. Then, as I understand you, so far as you have any knowledge, you retired from the room leaving your sister and Mr. Beecher in the room? A. Yes.

Q. And leaving the house? A. I cannot remember.

Mr. Evants Drops Mrs. The specific

EVARTS DEOPS MRS. T.'S BROTHER, Mr. Evarts began to question Mrs. Tilton's brother with some assumption and severity, but soon dropped that manner and let Richards go.

soon dropped that manner and let Richards go.

REDIRECT.

By Mr. Fullerton—I have been subpœnaed more than once in this case; I have been subpœnaed more flour times—the first time three weeks or a month ago; the subpœnaes were served on me from time to time; I spoke to my wife about this at the time I was subpœnaed and when it occurred, I thus.

Q. Did you speak to any one else about it? A. I did, to my brother-in-law, Mr. Baker.

Q. Did you say anything to Mr. Beecher in regard to it? A. No, sir; I don't remember that I told him anything about what I saw.

JEREMIAH P. ROBINSON UP.

JEREMIAH P. ROBINSON UP.
After the withdrawal of Mr. Richards, who went nt at once and hastily, passing through the lines of the Plymouth people, who appeared to be a good deal discomnted, it was a relief to see climb into the witness chair J. P. Robinson, a man of a countenance as open and bland as the previous blood, idiosyncratic, slow, interior-like. Robinson is the uncle of Mrs. Moulton, and

expression. Large, well fed, with a double chin, a long upper lip, a dimpled cucer, red ears, and a strong, high-colored nose. Robinson had a sweet,

ductile voice and no perpiexity.

Jeremiah P. Robinson, of the firm of Woodruff & Robinson, was the next witness for the plaintiff. He testified as follows in answer to Mr. Fullerton's

He testified as follows in answer to Mr. Fullerton's questions:—
Q. How did you become acquainted with Henry Ward Beecher? A. I tunk that I met him at Mr. Moulton's house first.
Q. Do you recollect the season of the year? A. I do not, sir.
Q. Who clss was there when you met him there?
A. I don't remember that, sir.
Q. Did you meet him there more than once? A. Yes, sir.
Q. How frequently? A. Well, sir, I saw him there before I was acquainted with him; have seen him come in and go out.
Q. How frequently? A. Well, I should say a number of times, when I happened to be at Mr. Moulton's.

him come in and go out.

Q. How frequently? A. Weil, I should say a number of times, when I happened to be at Mr. Moulton's.

Q. What was the condition of Mr. Moulton at the time you met Mr. Beecher there—as to health, I mean? A. I saw Mr. Beecher there—as to health, I mean? A. I saw Mr. Beecher there once when Mr. Moulton was sick.

Q. Now, do you refer to his sickness in the early part of the year 1871? A. Yes, sir; I think it was in January, 1871.

Q. How irequently did you see Mr. Beecher during that sickness? A. I don't remember, sir; but I don't think I saw him many times.

Q. Had you seen him there prior to that sickness? A. I don't think I had, sir; I don't remember; I didn't know Mr. Beecher then very weil; I knew him by sight.

Q. Mr. Moulton weat, in the early part of 1871, South, didn't ner? A. Yes, sir, after that sickness.

Q. And after he came from the South did you meet him there? A. Mr. Beecher? yes, I saw him there alterward; I saw him there since then.

Q. How frequently after the sickness did you see Mr. Beecher there many times or hardly at all, after Mr. Moulton's sickness; I don't remember.

Q. And be ore you left? A. No, sir; I did see him there during that time.

Q. In Mr. Moulton's sick room? A. I think I saw him once there.

Q. Did you ever meet Mr. Moulton and Mr. Beecher in the street? A. Yes, sir.

Q. Walter the street? A. I think it was on last Fourth of July, sir; on Sunday.

Q. Walter the street and you meet them? A. I met them walking on Montague terrace, where I live.

Q. Walting together or standing? A. They were walking together

live. Q. Walking together or standing? A. They were walking together.

were waiking together.

BYARTS' CROSS-RXAMINATION.

The respect shown to a good, rich, potential witness was seen all over the court and in both counsel. Mr. Evarts proceeded to cross-examine Robinson, with Tracy—who entertains a florce feeling for Moulton, as they scraped each other roughly during that memoraole cross-examination—at Evarts' elbow, scowling that sardonic smite. Robinson had little more to tell, however, except that his firm was dissolved because their warehouse lease had expired.
WILLIAM M. MARSTON BRASHER.

At ten minutes past three a beardless, fat-faced, rather elderly man, a good liver and genial person, took the stand with a quiet good nature. His hair was a little gray. He was a slightly un willing witness, not having anything of an intellect-nal sort to testify, except that, by proximity to Tilton's residence, where he has lived since 1864, he was compelled to see Mr. Beecher go and come at the Tilton residence fity times or so, and never but once did he see Mr. Tilton with Mr. Beecher. On one occasion he saw Mr. Beecher at such an unseasonable hour of the morning that it made an indelible impression on the witness; yet he enceavored, despite all Fullerton's pertinacity, to avoid guessing the hour; finally he said that he was in the habit of going fishing at all hours of the day and night, but thought that on this occasion it was behour of the morning that it made an indelible im-

tween seven and eight o'clock; it was in the autumn of the year; Mr. Beecher lived three-quarters of a mile from the spot. The witness keeps a yacht, and is hardly acquainted with Mr. Beecher at all. He made his impression on the jury and audience, and left a teeling behind him that he had not very vigorously worked upon his memory. Mr. Evarus extracted from him the fact that he was not a voluntary witness, and was de-tained from his business engagements in Wash-ington. He walked off with his nat, glad to be rid

of the court room.

MR. BEECHER'S EARLY VISIT.

William M. Marston Brasher was called to the William M. Marston Brasher was called to the witness seat.
Mr. Fullerton—Mr. Brasher, where do you reside? A. In this city.
Q. Do you know the parties to this action? A. Yes, sir.
Q. How long have you known Mr. Beecher? A. Ever since I came to this city.
Q. Were you on speaking terms with Mr. Beecher? A. I have not been on speaking terms with Bim, but I was introduced to him once.
Q. Where were you in the habit of meeting him?
A. I met him in the streets several times.
Q. Are you acquainted with Mr. Titon? A. Yes, sir.

A. I met him in the streets several times.
Q. Are you acquainted with Mr. Tition? A.
Yes, sir.
Q. Bo you remember Mr. Tition's living in Oxford
street, Mr. Brasher? A. I don't remember his residence in Oxford street.
Q. Did you ever see Mr. Henry Ward Beecher
in Mr. Tition's house in Livingston street? A. I
never was in the Livingston street house.
Q. Did you ever see Mr. Beecher outside of Mr.
Tition's house on Livingston street? A. Yes, sir; I
have seen Mr. Beecher standing on the stoop of
the Livingston street nouse.
Q. How frequently have you seen Mr. Beecher
standing there? A. I can't remember how often;
I have seen him several times entering the nouse
and coming out.
Q. State the number of times you have seen him
entering and coming out of Mr. Tilton's house;
A. I cannot recollect the number of times.
Q. About how early an hour in the merning wai
It that you saw Mr. Beecher standing on the
stoop? A. I never recollected but once that it
made an impression on my mind, and that was
early in the morning; It streek me on that occasion as being a very early hour for a gentleman to
visit.
Q. What time in the morning was it that you

visit.

Q. What time in the morning was it that you saw him there when this impression was made on you? A. It was about breaktast time; I don't exactly remember the day; it was in the fail; I can't remember the month.

Q. Was it before or after breakfast that you saw him on the stoop? A. I can't say positively whether it was before or after breakfast.

Q. Cannot you tell where were you going on this occasion? A. I was going fishing in my yachts.

this occasion? A. I was going ishing in my yacht.

Q. Then you were going to your yacht? A. Yes, I was going fishing when I got on my yacht.

Q. What time did you start in the morning to go isning? A. I went fishing at all times of the day and night; started out sometimes as early as two o'clock in the morning.

Mr. Fullerton—Now. Mr. Brasher, tell the jury. as near as you can, at what nour in the morning you saw Mr. Beecher going into Mr. Tilton's nouse. A. It was about breakfast time, as near as I can judge so, because the sun was up and shining brigarly, and dazzled me as I went along.

Q. How early do you take your oreakfast? A. I usually take my breakfast about six o'clock; I can't recollect what time it was when I took my breakfast on the morning I refer to as having seen Mr. Beecher on the scoop; in lact, I am not sure whether I had my breakfast that morning before leaving home, or whether I took my breakfast on the yacht; I don't recollect what time I saw him there.

O. What hour of the day was it that you next.

Q. What hour of the day was it that you saw him timers.
Q. What hour of the day was it that you saw him most frequently going in or out of the house?
A. I can't say.
Q. Did you eversee anything particular in his demeanor when you saw him there? A. No, sir.
Q. When you saw Mr. Beecher there at that early hour in the morning did you know whether Mr. Thiton was at home or not? A. I did not, sir.
Q. You had no means of knowing that? A. No, sir.

Mr. Tition was at home or not? A. I did not, sir.
Q. You had no means of knowing that? A. No, sir.
Cross-examined by Mr. Evaris:
Q. Mr. Bresher, now many times have you attended this trial? A. I have been in attendance at this trial for three or four days; I have been that trial for three or four days; I have been very much annoyed about this matter, sir?
Q. Now, during how many years was it that the four or five times have happened that you speak of as having seen Mr. Beecher going to or coming from the house; how long a period did those occasions extend over? A. I don't remember the years; all the time that I lived there.
Q. And in that period you saw him three, four or hve times? A. Yes, sir.
Q. I think you have been anable to define the part of the fail you allude to? A. Yes, sir; I am not able to give the year; It may have been any year bet ween 1886 and 1870; I cannot fix any time hearer than that; I way introduced to Mr. Beecher about litteen years ago.
Q. Do you know whether Mrs. Tilton was at home, or do you know whether she was in town at that time? A. I do not; I don't know whether Mr. Beecher had come from Washington and called to see Mr. Tilton on that morning.
Mr. Evarts said, "That is all," and the witness stepped down.
Judge Neilson at this point said he would like to hear from the counsel, in view of the lil health of one of the jutors, whether it would not he as well not to sit on Munday next, Washington's Birthday.

Mr. Evarts asked, "Is not the 22d of February a

day.

Mr. Evar's asked, "Is not the 22d of February a

legal holiday?"

Judge Neilson said it seemed to him to be as as to commercial paper, but the Court had nothing to do as to that. They would determine the question to-morrow as to whether they would shor

church committee to testify.

The Court thought that the part taken of that ation between husband and ont. On the contrary, they desired to get in the balance of the luterview as well as that portion of it. Having a part they were entiried to the whole of

of it. Having a part they were entiried to the whole of it.

The Judge interrupted the counsel, handing him a copy of the legislative enactment to recernee to legal holidays to read. It provides that the office of the Clerk of the City Court shall be closed on the 22d of February.

Judge Neilson said he supposed that if the Clerk's office was legally closed on that day the court should also be closed.

Mr. Evarts—Yes, Your Honor, that makes it a dies non.

our should also be closed.

Mr. Evarts—Yes, Your Honor, that makes it a dies non.

Mr. Beach then resumed his argument with reference to the point under discussion, and read from a printed report of the testimony. The question and answer objected to when it was given was this:—"I want you to state under what circumstances the short report was prepared? Answer—When Mrs. Tilton came home and informed me that she had been down before the Plymouth church in relation to my letter to Dr. Bacon, &c."

Mr. Evarts and Mr. Beach had a lengthy debate upon the question as to the construction put on the position of their relative cause by the question as it stands, and the Court finally settled it by ruing that it should stand as it is.

Clerk Mallison then adjourned the Court, it being ten minutes after lour o'clock, until eleven o'clock this morning.

At the close of this day of brief witnesses and sharp facts Mrs. Tilton and her two friends went

sharp facts Mrs. Tilton and her two friends went out of Court perfectly quiet, all gazing at them and few speaking. The effect of any damaging testimony is seen most readily in Mrs. Field's cold, mirror-like face. Mrs. Titon does not show the more serious emotions, as grief, as well as the

audience scattered, wonderingly.

Frank Moulton was in a chamber outside talking with Tilton. He looks thin and pale since h mother's death.

His wife is expected to testify to-day, and will probably be accompanied to court by her father-in-law; also, it may be, by her husband. Her testimony is expected to be the really great gun on the side of the plaintiff. But it is now expected that Tilton will also call Mrs. Stanton, Miss Anthony and others. The days are heavy now with import.

## FATAL STABBING CASE.

THE VICTIM DECLINES TO MAKE ANY EXPLANA-TION OF HOW HIS INJURIES OCCURRED.
On Tuesday last Charles Fitzgeraid, an Irish aborer, thirty-five years of age, who said he lived laborer, thirty-five years of age, who said he lived at No. 9 Mulberry street, applied for admission to Bellevue Hospital while suffering from pneumonia, but said nothing about having been injured. The surgeon in charge, on making an examination of the patient, found that he had received a stab wound of the left breast, the steel having penetrated the pleural cavity. Fitzgerald told the surgeon that he had been stabbed about two weeks before, but failed to state where, by whom, or under what circumstances the wound had been indicted. Deputy Coroner MacWhinnie will make an autopsy on the body, which will definitely determine the cause of death. Coroner Croker has charge of the case. Captain Lowery, of the Sixin precinct, was notified of the occurrence, and while endeavor to dispet the mysterf which at present surrounds the matter.

## THE BALLOT FOR YONKERS.

In response to a circular which had been very widely circulated, a mass meeting was beld last night at Radford Hall, Yonkers, for the purpose of giving public expression in favor of the pa